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Letter dated 5 January 2006 from the Permanent Representative of Canada to the United Nations addressed to the President of the Security Council

I enclose herewith the text of the letter I delivered to your predecessor on 16 December 2005 (see annex). I would ask that the present letter and its annex be circulated as a document of the Security Council.

(*Signed*) Allan **Rock**

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Annex to the letter dated 5 January 2006 from the Permanent Representative of Canada to the United Nations addressed to the President of the Security Council

I am writing to you in your capacity as President of the Security Council and on behalf of the Government of Canada to ask that the Security Council place the situation in northern Uganda on its agenda for immediate consideration.

The humanitarian situation in northern Uganda is nothing short of catastrophic, with 1.7 million displaced persons confined to over 200 squalid and unsafe camps. Over 90 per cent of the rural population of northern Uganda endures those unimaginable conditions and some have done so for almost 10 years. The principal cause of the displacement is the violent conflict that has plagued northern Uganda for almost 20 years, and in which the insurgent group, the Lord's Resistance Army (LRA), has attacked the population, raided the camps and abducted over 25,000 children, who have then been forced into fighting or sexual slavery. The abductions continue regularly.

Each week, 1,000 civilians die from war-related causes. More than 300,000 displaced children under the age of 5 suffer from malaria, pneumonia, diarrhoea and other preventable diseases. Up to 40,000 older children are forced from either their homes or the camps to commute each night to the relative safety of regional town centres to avoid abduction.

While the displaced persons are receiving life-saving humanitarian assistance from the World Food Programme (WFP), WFP has a funding gap of $23 million, representing an immediate shortfall of over 43,000 tons of food commodities. Unless new contributions are confirmed, the nutritional status of the displaced persons — and especially women, children and the elderly — will be at risk.

Insecurity throughout northern Uganda makes it difficult for aid agencies to gain access to areas in dire need of relief. Recent acts of violence against aid agencies have forced many to suspend or seriously curtail their efforts. In recent weeks, operating agencies — including those of the United Nations — have been forced to add new restrictions to their operations in the area.

The request that the Security Council place the issue of northern Uganda on its agenda is made on two separate but related grounds, as set out below.

1. Regional peace and security

There is a serious and growing threat to regional peace and security, as LRA brings its violence, its abductions and the threats and fear they spawn into neighbouring countries. LRA has long taken refuge in the south of Sudan, and its violence in that area during recent months has interrupted the return of refugees and displaced persons who want to go back to their homes following the peace agreement that ended the war in the south of Sudan. LRA has also disrupted the delivery of humanitarian assistance in that region.

More recently, LRA entered the eastern region of the Democratic Republic of the Congo, an area already afflicted with a variety of violent militias. When the President of Uganda publicly threatened to take action as a result, the Permanent Representative of the Democratic Republic of the Congo to the United Nations described those statements as "a threat to international peace and security".

The situation in northern Uganda is certainly having an impact on regional stability. Notably, its cross-border dimensions are having an impact on two countries where the Security Council is already actively seized: the Democratic Republic of the Congo and the Sudan.

In sum, the situation in Uganda not only represents a massive and compelling humanitarian emergency; it also constitutes a violent conflict that threatens regional peace and security in an area that is one of the most fragile and troubled in the world.

2. The protection of civilians

In paragraph 16 of its resolution 1265 (1999), the Security Council expressed its willingness to respond to situations of armed conflict where civilians were being directly targeted or humanitarian assistance to civilians was being deliberately obstructed. That intention was also expressed in paragraphs 10 and 12 of resolution 1296 (2000), which stressed the imperative for safe and unhindered humanitarian access to civilian populations and for appropriate measures to ensure the safety and security of such staff. In addition, in paragraph 14 of the same resolution, the Security Council invited the Secretary-General to bring to its attention situations in which refugees and internally displaced persons were vulnerable to the threat of harassment and made clear that, where such situations constituted a threat to the peace, it would consider an appropriate response, including the provision of support to the affected State where feasible.

As cited in the report of the Secretary-General to the Security Council of 9 February (A/59/695-S/2005/72), the continued recruitment and use of child soldiers by LRA, the Ugandan People's Defence Forces and by the local defence units is also of grave concern. In paragraph 5 (c) of resolution 1539 (2004) on the situation of children in armed conflict, the Council expressed its intention to consider imposing graduated or targeted measures, through country-specific resolutions, on parties that continued to recruit and use child soldiers, failed to enter into dialogue and failed to meet their action plan commitments under the resolutions adopted on children and armed conflict. In its resolution 1612 (2005), the Council also mandated the creation of a monitoring and reporting mechanism on the use of child soldiers and formed a working group to monitor the reports of this mechanism and make the recommendations to the Council on possible measures to further promote the protection of children.

Steps the Security Council might take

We urge the Security Council to agree to place this matter on its agenda immediately, and to request a detailed briefing from appropriate sources. We also ask that the Council urgently consider taking the steps described below.

First, consistent with the aims of its resolutions on the causes of conflict in Africa, the protection of civilians in armed conflict, women, peace and security and children and armed conflict, we recommend that the Security Council adopt a resolution on the situation in northern Uganda, which should:

- Express deep concern regarding the threat to international peace and security and the humanitarian emergency caused by the ongoing conflict in northern Uganda

- Call upon all parties to ensure safe access to civilian populations for aid agencies
- Call upon LRA to surrender those individuals under indictment by the International Criminal Court to face fair and impartial trials by the Court
- Insist that all States in the region immediately cease any support for LRA and cooperate fully with the International Criminal Court
- Call upon all parties to pursue a peaceful and negotiated settlement to the conflict
- Call for tripartite talks between Uganda, the Democratic Republic of the Congo and the Sudan to ensure a peaceful and coordinated response to LRA activity in the region
- Request the Secretary-General to engage in robust diplomacy with all parties on the situation in Uganda and to commit to ensuring that the Security Council remains seized of the matter and willing to draw, as appropriate, on the full range of instruments at its disposal should the parties not cooperate with the diplomatic efforts of the United Nations
- Call upon the Government of Uganda to provide legal and physical protection for internally displaced persons and refugees living in camps, consistent with international standards and its own national policies, including by deploying adequate troops dedicated to preventing attacks on these camps and ensuring the safety and security of humanitarian aid workers
- Call upon all States to respond to the severe humanitarian emergency affecting northern Uganda through an urgent allocation of funds for humanitarian services in affected areas

Second, through existing procedures, we recommend that the Security Council:

- Request regular briefings on the humanitarian, security and human rights situation in northern Uganda from the Government of Uganda, the Special Representative of the Secretary-General for the Great Lakes Region, United Nations agencies and the Emergency Response Coordinator
- Commit to hold an Arria Formula meeting on the situation
- Recall the obligations of the Governments of the Sudan and Uganda to cooperate with and assist the International Criminal Court in its investigation of crimes against humanity committed in Uganda and southern Sudan
- Recall the obligations of the Governments of the Democratic Republic of the Congo and Uganda to assist the International Criminal Court in its investigation of crimes against humanity in Uganda as it relates to parties to the conflict present in the Democratic Republic of the Congo
- In accordance with its resolution 1612 (2005), apply the monitoring and reporting mechanism for violations against children to northern Uganda. The Security Council Working Group on Children and Armed Conflict should request regular reports of abuses carried out against children

I would respectfully ask, for all of the reasons and purposes set forth above, that the Security Council devote its attention at the earliest possible date to this tragic and threatening situation.

(*Signed*) Allan **Rock**